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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

COBBLER NEVADA, LLC,

Plaintiff,

v.

**ANONYMOUS USERS OF POPCORN
TIME: DOES 1 - 11,**

Defendants.

Case No.: 3:15-cv-01550-ST

JOINT MOTION TO APPROVE
AND ENTER STIPULATED
CONSENT JUDGMENT, Dkt. 28

Doe #05: IP: 71.59.218.131

UNOPPOSED

MOTION

Plaintiff and Doe No. 05, assigned IP address 71.59.218.131 (“Doe #05”) in this matter have reached a settlement of all claims between them. To fully effect the terms of the agreed settlement, the parties jointly move the court for the entry of the filed proposed Stipulated Consent Judgment, Docket No. 28.

Defendant further moves for leave to proceed anonymously, with the identity of the defendant being filed separately under seal, as discussed below.

CONSENT TO MAGISTRATE

Plaintiff and Doe No. 05 / IP address 71.59.218.131 expressly consent to have a United States Magistrate Judge conduct any and all proceedings in this case, including entry of orders, including the requested consent judgment or any other final judgment or orders arising therefrom.

BRIEF MEMORANDUM ON THE IDENTITY OF DEFENDANT

The defendant identified herein as Doe No. 05 / IP address 71.59.218.131 has been personally identified to plaintiff. Defendant, appearing through counsel wishes to remain anonymous and has requested leave to proceed anonymously. Plaintiff does not oppose this request.

In this case the defendant and subscriber have voluntarily cooperated in plaintiff's investigation. While the parties admit a consent judgment is proper, it is no longer necessary to further involve the court to ascertain the identity of the proper defendant. The parties submit that the action and claims between them may be fully resolved and managed with the proposed Stipulated Consent Judgment without the need to publicly identify the defendant or to needlessly subject the defendant to secondary considerations associated with being named publicly.

To the extent there may be any public need, the identity of the Doe 09 being filed under seal, may be revealed by order of the court on a showing of cause should there be any legitimate need for such, or as plaintiff may require to enforce the relief obtained. But absent a showing of cause the defendant requests and the plaintiff does not object to preserving the anonymity of the defendant.

Wherefore the parties request the proposed Stipulated Consent Judgment (Dkt. 28) be

accepted and entered by this Court, or considered in light of further oral argument as the Court may deem proper.

Respectfully and jointly submitted this day, October 27, 2015.

On Behalf of Defendant Doe #05:

/s/ Benjamin R. Justus
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On Behalf of Plaintiff:

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